

CASE # C15-2012-0143

ROW-108 56764

TP-0110060412

CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

STREET ADDRESS: 510 Atlanta Street

LEGAL DESCRIPTION: Subdivision – Charles Johnson Add.

Lot(s) 11 Block 3 Outlot _____ Division _____

I Jim Bennett as authorized agent for Rox Covert

affirm that on 10/31/12, hereby apply for a hearing before the Board of Adjustment for consideration to:

ERECT – ATTACH – COMPLETE – REMODEL – MAINTAIN

A deck providing a total impervious cover of 45.12%
_____ in a SF-3 N.P. district.
(zoning district)

The Austin Electric Utility Department (Austin Energy) enforces electric easements and the setback requirements set forth in the Austin Utility Code, Electric Criteria Manual and National Electric Safety Code. The Board of Adjustment considers variance to the Land Development Code, and a variance granted by the Board of Adjustment does not waive the requirements enforced by Austin Energy. Please contact Christine Esparza with Austin Energy at 322-6112 before filing your application with the Board of Adjustment if your request is for a reduction in setbacks or height limits.

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:
it would be an unreasonable not to allow a use of the deck as a means of exit from the back door.

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that: When this subdivision was platted TXDOT denied individual driveways to the lots that front onto Atlanta Street, which also serves as the south bound access for MOPAC. Consequently these lots have a common access easement that must have an individual driveway from the access easement which counts toward the impervious cover limits.

_____ (b) The hardship is not general to the area in which the property is located because:

This access easement is only common to the lots in this particular subdivision, and not general to the area.

AREA CHARACTER:

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

The deck is located at the reart of the existing structure and is close to ground leveland should not cause a visible nuisance in as much as it is only 5 ft. in width.

PARKING: (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed _____ Mail Address 11505 Ridge Dr.

City Austin, State TX. & Zip 78748

Printed Jim Bennett Phone 282-3079 Date 10/31/12

OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed _____ Mail Address _____

City _____ State _____ & Zip _____

Printed _____ Phone _____ Date _____

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

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NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

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Printed Jim Bennett Phone 282-3079 Date 10/31/12

OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Rox Couert Mail Address 501 ATLANTA

City AUSTIN State TX & Zip _____

Printed Rox Couert Phone 512-418-3301 Date 1 NOV 12



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SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2012-0143
 LOCATION: 510 Atlanta Street



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.